

IT IS ORDERED

Date Entered on Docket: November 12, 2021



**The Honorable Robert H Jacobvitz
United States Bankruptcy Judge**

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW MEXICO**

IN RE:

Rita Annbelle Lovato,

Debtor.

Case No. 19-12349-ja13

**STIPULATED ORDER REGARDING MOTION FOR
RELIEF FROM AUTOMATIC STAY**

This matter comes before the Court on stipulation of Secured Creditor, Wells Fargo Bank, N.A., (“Secured Creditor”), and the Debtor, Rita Annbelle Lovato (“Debtor”). Upon approval by the Secured Creditor, the Debtor, and the Chapter 13 Trustee, and good cause appearing,

IT IS THEREFORE ORDERED AS FOLLOWS:

1. This Stipulated Order affects the real property commonly known as: 1420 Tomasita Street Northeast, Albuquerque, NM 87112 (the “Subject Property”).
2. Commencing 12/1/2021, Debtor shall make regular monthly post-petition payments under the Note and Deed of Trust to Secured Creditor, and continuing on the first day of each month thereafter, under the terms of the Note and Deed of Trust.

3. Payments shall be made directly to Secured Creditor at Wells Fargo Bank, N.A. Wells Fargo Home Mortgage, PO Box 14507, Des Moines, IA 50306, with reference to the last four digits of the Loan Number 3423, or as otherwise directed.

4. Commencing 12/15/2021, and continuing thereafter on the fifteenth day of each month through and including 10/15/2022, Debtor shall make an additional monthly payment of \$165.00, with a final payment in the amount of \$164.91 due on 11/15/2022 until post-petition arrears in the sum of \$1,979.91 are paid. Said sum represents the post-petition delinquency itemized below:

3 Post-petition payment at \$989.67 each (09/01/2021 through 11/01/2021)	\$ 2,969.01
Less Debtor's Suspense	\$ (989.10)
Total Delinquency in the amount of:	\$1,979.91

5. Debtor shall timely perform all of their obligations under Secured Creditor's loan documents as they come due, including but not limited to the payment of real estate taxes, maintaining insurance coverage, Chapter 13 Plan payments, and any and all senior liens.

6. In the event Debtor fail to timely perform any of the obligations set forth in this stipulation, Secured Creditor shall notify Debtor and their counsel of the default in writing. Debtor shall have ten (10) calendar days from the date of the written notification to cure the default.

7. If Debtor fail to timely cure the default, or default on the obligations set forth herein on more than three (3) occasions, Secured Creditor may lodge a Declaration and Order Terminating the Automatic Stay. The Order shall be entered without further hearing. The automatic stay shall be immediately terminated and extinguished for all purposes as to Secured Creditor and Secured Creditor may proceed with and hold a Trustee's sale of the Subject Property, pursuant to applicable state law, and without further Court Order or proceeding being necessary, and commence any action necessary to obtain complete possession of the Subject Property, including unlawful detainer, if required.

8. Secured Creditor's Proof of Claim is due and owing and is allowed in full.

9. The Final Hearing scheduled for 11/17/2021 is vacated upon entry of this order.

##END OF ORDER##

Prepared and submitted by:

/s/ Jason Bousliman

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Approved via e-mail 11/8/2021

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